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law was allowed to take its course, he was prosecuted and found guilty of aggravated assault, but on appeal the court held that his conduct did not constitute an assault.

Consolidation of Actions — Injunction.— *Gulf C. & S. F. Ry. Co. v. Bacon et al.*, 21 S. W. Rep. 783 (Tex.) Appellants, averring that separate suits were brought by each of the appellees, when they were either partners or the right to sue belonged to one only, below the jurisdictional amount of the county court, before a justice of the peace, petitioned for an injunction to consolidate the two suits, alleging that such a magistrate would refuse to do so and was disinclined to decide such suits correctly. Held, that it could not be assumed that the justice of the peace would refuse to accord to appellant any legal right, and that, since it had the right to have the suits consolidated before trial, an injunction for that purpose was properly refused by the lower court.

Judgment for Costs — Clerk's and Witnesses' Interest in.— *Hoover et al. v. Missouri Pac. Ry. Co.*, 21 S. W. Rep. 1076 (Mo.) Plaintiff recovered judgment and costs against defendant in lower court, but, in accordance with a stipulation entered by the parties, judgment was rendered in the Supreme Court, taxing plaintiff with costs. The clerk of the lower court and witnesses, filing affidavits to show plaintiff's insolvency, asked that the costs be retaxed. Held, that the judgment for costs was not rendered in their favor, and the fact that officers of the court and witnesses have acquired in some sense a beneficial interest in a judgment gives them no right to interfere in a compromise between the parties.

Public Schools — Eligibility of Women.— *Commonwealth v. Jenks*, 26 Atl. Rep. 371 (Penn.) The Board of Control of the Philadelphia public schools refused to approve the selection of a woman to an office to which she was eligible by the Constitution of Pennsylvania, and also by the rules of the board relating to experience. Petition for mandamus to compel the board to approve her selection. Held, that the board had discretionary powers in determining the choice of teachers. That the constitution and rules did not require the selection of a woman simply because she becomes an applicant. Although a woman should not be rejected solely on account of her sex, yet, the board in its selection, should take into account the character of the pupils of the school, and the sex of the applicants, so far as it concerns the maintenance of discipline.